

TERMS & CONDITIONS DOCUMENT

Section 24 - Demarcation Points

24.1 Responsibilities

The Company will provide facilities, equipment, and services to its local loop demarcation point. The Company is responsible for the provisioning and maintenance of its facilities, equipment, and services to the local loop demarcation point, including those located at that point.

The Customer is responsible for the completion of services beyond the Company's local loop demarcation point.

Customer requested services beyond the local loop demarcation point may be provided by the Company at the Customer's expense.

24.2 Local Loop Demarcation Point

24.2.1 The Company's Local Loop Demarcation Point separates the Company's network responsibility for its facilities, equipment and services from that of the building owner or end-user Customer. This demarcation point designates the end of the Company's network facilities (local loop) and the beginning of the intrabuilding network cable (INC), if any, provided by the building owner.

Where a Local Loop Demarcation Point lacks sufficient power and/or space to support provisioning of new service, such service will be provisioned as close as practicable to the existing demarcation point.

24.2.2 The Local Loop Demarcation Point may also be referred to as the Minimum Point of Entry (MPOE) or Minimum Point of Presence (MPOP) for the purpose of defining the end of the Company's network facilities.

24.2.3 The Local Loop Demarcation Point is located at the MPOE/MPOP to any single or multi-story building, and includes the Company's entrance facility, except as set forth in Paragraph 4 following. The Company will not be required to place its demarcation point on more than one floor of a multi-story building.

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Section 24 - Demarcation Points (cont'd)

24.2 Local Loop Demarcation Point, (cont'd)

24.2.4 Exceptions:

- (A) Emergency Reporting Services (E911/911): The demarcation point is at the Company-provided terminal equipment, including the equipment where the equipment has been provided by the Company.
- (B) Disabled Services: The demarcation point is at the Company-provided terminal equipment. The Company's responsibility includes the terminal equipment where the equipment has been provided by the Company.
- (C) Company-provided Semi-Public and Public Coin Services: The demarcation point is at the equipment at the location requested by the end-user or building owner, and includes the equipment.
- (D) If a property owner desires an additional Local Loop Demarcation Point(s) at a specified location on a Customer's premises for purposes of providing service assurance, safety, security and privacy of data communications over the cable (generally known as "Direct Feed"), the owner will be required to pay for additional network cable and network facilities through special construction arrangements. In particular, additional Local Loop Demarcation Points cannot be used to extend any cable pairs served from any Local Loop Demarcation Point from one location to another location.
- (E) Fiber Optic Cable: The demarcation point is at the Company-provided Fiber Optic Terminal (FOT) equipment. The Company's responsibility includes the FOT equipment where the equipment has been provided by the Company.

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Section 24 - Demarcation Points (cont'd)

24.2 Local Loop Demarcation Point, (cont'd)

24.2.4 Exceptions, (cont'd)

- (F) **Carrier Points of Presence (“POP”)**: Local Loop Demarcation Point guidelines are not applicable for access services provided to interexchange carriers, local exchange carriers, and radio carriers (both private carriers and common carriers as defined by applicable Federal Communications Commission’s regulations) Point of Presence location. However, Local Loop Demarcation Point rules do apply to all Company-provided service(s) provisioned to a Point of Presence when the service(s) is used in the capacity of an end-user of the service(s).

24.3 Intra-building Network Cable (INC) Demarcation Point

- 24.3.1** The Intra-building Network Cable (INC) demarcation point separates the building owner’s responsibility to provide INC from the end-user’s responsibility to provide inside wire, standard jacks, and Customer premises equipment. This demarcation point designates the end of the INC provided by the building owner and the beginning of simple or complex inside wire provided by the end-user.
- 24.3.2** The INC demarcation point is located at the distribution terminal(s) on each floor in a multi-story building, except as set forth in Paragraph 3 following and B.4 preceding.
- 24.3.3** Where there is no intra-building network cable or it is in a single-story building, the INC demarcation is the Company’s Local Loop Demarcation Point.

24.4 Inside Wire Demarcation Point

- 24.4.1** The Inside Wire Demarcation Point is located where Customer premises equipment (CPE) is connected to the inside wire. This demarcation point designates the end of the inside wire and the beginning of the CPE facilities.
- 24.4.2** The Inside Wire Demarcation Point separates the inside wire vendor’s responsibility from that of the CPE vendor. This demarcation point, where the Company is the vendor of choice for inside wire repair and CPE trouble isolation, begins where the Customer’s inside wire connects to the INC. Where there is no INC, the Inside Wire Demarcation Point is the MPOE.

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Section 24 - Demarcation Points (cont'd)

24.5 Continuous Property

24.5.1 Continuous Property is land which is:

- (A) wholly owned by a single individual or entity, regardless of whether the owner leases¹ all or a portion(s) of the property to another and
- (B) which contains, or will contain, multiple buildings where all portions of the property may be served without crossing a public thoroughfare² or the property of another.

24.5.2 There are three basic types of Continuous Properties:

- (A) Single-tenant commercial in which one owner or tenant occupies all building.
- (B) Mixed commercial and residential (*e.g.*, building with both commercial and residential space or campus-type configurations such as colleges and military bases) in which a mixture of business and residential uses exists.
- (C) Multi-tenant commercial and/or residential in which several tenants occupy a building individually on a per-floor or per-section basis.

Single-family homes and properties within which a portion(s) of the land is owned by separate entities and a portion(s) is owned by the entities in common³ do not constitute Continuous Property.

¹ The property retains its character as Continuous Property regardless of whether the owner or a lessee (who wholly leases the property from the owner) sublets a portion(s) of the property to another, *e.g.*, apartment buildings or complexes. Condominiums also are Continuous Property.

² A "public thoroughfare" is a street, road or other means of passage across property which is not subject to restrictions on ingress, egress or boundaries.

³ Such as townhomes and homes in gated communities.

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Section 24 - Demarcation Points (cont'd)

24.5 Continuous Property, (cont'd)

- 24.5.3** For Continuous Property, regardless of use, the Company's Local Loop Demarcation Point will be at the appropriate main distribution terminal as determined by negotiations between the property owner and the Company. Where an agreement cannot be reached, the Company will designate the Local Loop Demarcation Point location.
- 24.5.4** It is the property owner's responsibility to provide and maintain INC within and between buildings on a continuous property. The Company may, at the Customer's request and expense, provide INC.
- 24.5.6** Where an owner of Continuous Property requests additional Local Loop Demarcation Points or changes an existing local loop demarcation point, the owner will be required to pay for any additional network cable and facilities required through special construction agreements set forth in Cal. P.U.C. Schedule CLC 2-T, Sheet No. 5, except as provided in B.4 preceding.
- 24.5.7** The INC and Inside Wire Demarcation Points are located as described in B. and C. preceding.
- 24.5.8** At the request of a property owner, the Company may waive the designation of a single Local Loop Demarcation Point for a Continuous Property if, due to the unique characteristics of the property, a hardship would be created for the property owner and/or the Company. Examples of such Continuous Property include (a) national, state and local parks, beaches, highways, harbors and similar publicly-owner property and (b) railroad rights-of-way and extensive, privately-owned tracts of land with developed communities (*e.g.*, the City of Irvine) and similar privately-owned property. The Company will treat land within the boundaries of privately-owned property under (b) above as Continuous Property provided that it had the characteristics of Continuous Property, *e.g.*, (a) it is wholly leased by a single individual or entity and (b) it contains or will contain multiple buildings.

This paragraph is not intended in any way to waive the unbundling of INC in each building.